

James P. Cunningham, No. 121406
Evan C. Nelson, No. 172957
CARROLL, BURDICK & McDONOUGH LLP
Attorneys at Law
44 Montgomery Street, Suite 400
San Francisco, CA 94104
Telephone: 415.989.5900
Facsimile: 415.989.0932
Email: jcunningham@cbmlaw.com
enelson@cbmlaw.com

Attorneys for Defendant
WARREN PUMPS, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT PECHAR

Plaintiff,

v.

ALLIS-CHALMERS CORPORATION
PRODUCT LIABILITY TRUST, et al.

Defendants

CIVIL ACTION NO. C-06-7127 JCS

STIPULATION AND ~~PROPOSED~~
ORDER REMANDING CASE TO SUPERIOR
COURT OF CALIFORNIA COUNTY OF SAN
FRANCISCO

Case 3:06-cv-07127-WHA Document 8 Filed 12/04/2006 Page 1 of 2

WHEREAS:

(1) This asbestos personal injury case was originally filed in Superior Court of California, County of San Francisco (the "State Court"), Case No. CGC-06-456493 (the "State Action"), in which the plaintiff alleges various claims against Defendant Warren Pumps, LLC, among others.

(2) Defendant Warren Pumps, LLC filed its Notice of Removal of the State Action on November 16, 2006 on "federal officer" grounds pursuant to 28 U.S.C. Section 1442(a)(1).

(3) Plaintiff and Warren Pumps, LLC have agreed to and do hereby stipulate that remand to the State court is appropriate at this time.

///

1 Accordingly, the Plaintiff and Warren Pumps, LLC petition this court for an
2 order lifting the stay of this action, and remanding the State Action to the State Court,
3 pursuant to this Stipulation.

4
5 Dated: November 30, 2006

CARROLL, BURDICK & McDONOUGH LLP

6
7 By 

Evan C. Nelson
Attorneys for Defendant
WARREN PUMPS, LLC

8
9
10
11
12 Dated: November 30, 2006

BRAYTON & PURCELL LLP

13
14 By 

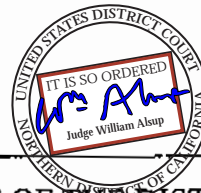
Mary E. Pougiales
Attorneys for Plaintiffs

15
16 **ORDER:**

17 Case 3:06-cv-07127-WHA Document 8 Filed 12/04/2006 Page 2 of 2

18
19
20 IT IS SO ORDERED.

21
22 DATED: December 14, 2006



JUDGE OF THE DISTRICT COURT